

REMARKS

Claims 1-4, 6-8, 12-14, 16-18, and 19 are pending in the application.

Applicants acknowledge that the Examiner has allowed claims 1-4, 6-8, 13, 14, and 16-18.

Claim 12 as presently amended is directed to a method for the therapeutic treatment of asthma or rhinitis in a patient suffering from asthma or rhinitis, which comprises administering to the patient suffering from asthma or rhinitis a therapeutically effective amount of a compound of formula (I), or a pharmaceutically acceptable salt as defined in claim 1. As such, claim 12 requires that the patient must be a patient that is suffering from asthma or rhinitis. Support for this amendment can be found throughout the specification, e.g., at page 11, lines 11-14 and claims 11 and 12 as originally filed.

The foregoing amendments, which introduce no new matter, are being made for the sole purpose of expediting prosecution of the present application, and Applicants expressly reserve the right to pursue any cancelled subject matter in one or more continuing applications.

Rejection under 35 U.S.C. § 112, first paragraph

Claim 12 is rejected under for allegedly failing to comply with the enablement requirement of 35 U.S.C. § 112, first paragraph. The rejection states, in part (Office Action, page 5, emphasis in original):

Applicants have included ‘prophylactic’ in the definition of ‘treatment’ on page 11 of the specification. The ‘prophylactic’ embraces prevention and Applicants have not provided support for preventing any diseases mentioned in the specification.

Applicants respectfully disagree with the grounds for the rejection; however, to expedite prosecution, Applicants have amended claim 12 to require that the patient must be a patient that is suffering from asthma or rhinitis.

In view of the foregoing, Applicants respectfully request that the rejection be reconsidered and withdrawn.

Applicant : Pairaudeau et al.
Serial No. : 10/552,082
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Page : 8 of 8

Attorney's Docket No.: 06275-472US1 / 101017-1P US

CONCLUDING FORMALITIES

Applicants submit that all claims are in condition for allowance.

The fee in the amount of \$130 for the one month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of a Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 06275-472US1 / 101017-1P US.

Respectfully submitted,

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